

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 33395 of 2006(A)

PETITIONER:

BIJURAJAN, S/O.M.P.RAJAN,
AGED 37 YEARS, BIJU VILLA,
KONNY, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.C.B.SREEKUMAR

RESPONDENTS:

1. THE PATHANAMTHITTA DISTRICT CO-OP.
BANK LTD.,
KONNI BRANCH, KONNI, PATHANAMTHITTA DISTRICT,
REP. BY ITS MANAGER.
2. THE CO-OP. BANK INSPECTOR/
SPECIAL SALE OFFICER,
THE PATHANAMTHITTA DISTRICT CO-OP. BANK LTD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.M.JAMES, J.

W.P.(C). 33395/2006

Dated this the 11th day of January, 2007

JUDGMENT

The learned counsel for the writ petitioner submits that he had remitted the amount through instalments towards the principal and interest, which comes to Rs. 1,38,836/-. However, in Ext.P2 notice dated 29.11.2006, further amount of Rs.1,82,136/- is being claimed. The counsel challenges the amount calculated by the respondents. It is also submitted that the writ petitioner is prepared to pay back the entire amount, as per the One Time Settlement scheme, available and applicable to the writ petitioner as well as to the respondents.

2. I heard the learned Senior Government Pleader. Considering the facts that are placed before me, I direct the writ petitioner to approach the first respondent, bank, within ten days from today, with a representation, requesting for an One Time Settlement. On receipt of the

same, the first respondent shall hear the writ petitioner, fixing the amount due from him and supply a copy of the statement, containing the amount paid by him as well as the balance due from him. Thereafter, an order shall be passed, extending all the benefits and facilities that are available in the One Time Settlement scheme, under Circular No.59/2006 dated 30.11.2006.

3. The writ petitioner shall pay the amount as per the order of the first respondent. In case of any dispute on the amount, so calculated by the first respondent, he may take up the same with the authorities. There shall be no coercive action against the writ petitioner or the guarantors till the final order is passed on the representation, or when the amount so ordered would be paid by the petitioner.

The writ petition is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS